

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

EASTERN DIVISION

2006 JAN 30 A 9:35

VOLANTE JONES, #165217  
PLAINTIFF,

VS.

CIVIL ACTION NO. 3:05-CV-1050-T

COURT CLERK FOR CHAMBERS  
COUNTY,  
DEFENDANT.

AFFIDAVIT IN SUPPORT OF MOTION FOR CONTINUANCE  
PURSUANT TO RULE 56(F), FEDERAL RULES OF  
CIVIL PROCEDURE

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, FOR SAID COUNTY  
AND STATE OF ALABAMA AT LARGE PERSONALLY APPEARED VOLANTE  
JONES #165217, WHO IS KNOWN TO ME AND BEING DULY  
SWORN, DEPOSE AND SAYS UNDER OATH AS FOLLOWS:

MY NAME IS VOLANTE JONES, I AM OVER TWENTY-ONE  
YEARS OF AGE. HAVING PERSONAL KNOWLEDGE OF THE FACTS BEFORE  
THIS HONORABLE COURT, I AM COMPETENT TO GIVE TESTIMONY IN  
ANY COURT IN THE STATE OF ALABAMA AND THE UNITED STATES.

ON THE 2ND DAY OF DECEMBER, 2005, I RECEIVED A COPY  
OF THE COURT'S ORDER GIVING DEFENDANT AND PLAINTIFF IN-  
STRUCTIONS CONCERNING MY CIVIL COMPLAINT ALLEGING THAT  
I NEVER RECEIVE A COPY OF REQUESTED LEGAL MATERIALS THAT  
ARE RELEVANT AND MATERIAL TO ME BEING ABLE TO CHALLENGE

MY ILLEGAL SENTENCE AND CONVICTION, I.E., DENIAL OF ACCESS TO THE COURTS IN VIOLATION OF BOWEN V. SMITH, 430 US 817, 52 LEd 2d 72, 97 Sct 1491 (1977).

SINCE THAT TIME I HAVE BEEN TRANSFERRED TO W.C. HOLMAN CORRECTIONAL FACILITY WHERE WARDEN GRANT COLLIVER HAS HAD IN PLACE SINCE JANUARY, 2005, THE LEXUS/LEXUS COMPUTER SYSTEM. BOOKS ARE NO LONGER UPDATED AND PLACED IN THE LAW LIBRARY. SEGREGATED PRISONERS (I'M PRESENTLY IN SEGREGATION) HAVE NO ACCESS WHATSOEVER TO THIS SYSTEM.

WARDEN COLLIVER HAS ESTABLISHED A "CELL DELIVERY" SYSTEM IN WHICH UNTRAINED PERSONS IN THE LAW (CLERKS) MERELY PICK UP AND DELIVER BOOKS. THEY ARE NOT ALLOWED TO RENDER "LEGAL ASSISTANCE" AND NO ALTERNATIVE SYSTEM HAS BEEN PUT IN PLACE.

NOT HAVING PHYSICAL ACCESS TO THE LAW LIBRARY'S COMPUTER OR THE LIBRARY IN GENERAL HAS CREATED A SITUATION WHERE THAT I DO NOT KNOW WHAT MATERIALS ARE AVAILABLE OR WHAT TO ASK FOR. I AM PROVIDED NO RESEARCH ASSISTANCE OR ACCESS TO LAWYERS, PARALEGALS OR OTHER PERSONS TRAINED IN THE LAW.

PRESENTLY THIS SITUATION IS BEING CHALLENGED IN THE ESCAMBIA COUNTY CIRCUIT COURT; WRIGHT, et al., v. COLLIVER, et al., CV 05-269.

IN ADDITION MY LEGAL MATERIALS WERE CONFISCATED UPON BEING TRANSFERRED. WHEN I RECEIVED WHAT THEY SAID I

COULD HAVE THERE WAS NO COPY OF MY ORIGINAL COMPLAINT OR THE COURT'S ORDERS INSIDE, I INQUIRED AS TO THIS PROBLEM AND DID NOT RECEIVE A FAVORABLE RESPONSE.

I AM UNABLE TO RESPOND TO THE DEFENDANT'S "SPECIAL REPORT" AS ORDERED BY THE COURT JANUARY 19, 2006 BECAUSE OF THE LACK OF ACCESS TO LEGAL ASSISTANCE, ETC. AS WELL AS THE FACT THAT I DON'T HAVE MY ORIGINAL COMPLAINT. MOST IMPORTANTLY I CANNOT RESPOND UNTIL I AM AFFORDED DISCOVERY OF THE "SIGN IN LOG" FOR LEGAL MAIL AT EASTERHOLM, WHICH WILL SHOW THAT I NEVER SIGNED FOR OR RECEIVED THE REQUESTED LEGAL MATERIALS AS ALLEGED.

THIS MATERIAL, I.E., "SIGN IN LOG" IS CRUCIAL TO ME PROVING MY CLAIM AND ESTABLISHING THAT THE DEFENDANT'S ACTIONS WERE BASED ON WHIMSICAL DICTATES THAT DO NOT AFFORD ME ACCESS TO THE COURT. I AM BEING IMPEDED FROM CHALLENGING THIS ILLEGAL SENTENCE AND CONVICTION.

THE ALABAMA DEPARTMENT OF CORRECTIONS ARE IN THE SOLE POSSESSION OF THIS EVIDENCE. THEY WILL NOT PROVIDE IT TO ME WITHOUT THE COURT'S ORDER.

I ATTEST THAT THE FACTS STATED ABOVE ARE TRUE AND CORRECT, SWEARING UNDER THE PENALTY OF PERJURY.

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 2<sup>nd</sup> DAY OF JANUARY, 2006.

Clara Wilkins  
NOTARY PUBLIC

Volante Jones  
VOLANTE JONES

7/17/08  
MY COMMISSION EXPIRES